n is being deposited with the U.S. Postal Service as Express M. Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22: I hereby certify that this con II No. EV 456356880 US, in an envelope addressed to: Mail 450 on the date shown below Kurgua hatus Dated: September 2, 2005 Signature: ATTORNEY'S DOCKET NUMBER TRANSMITTAL LETTER/TO THE UNITED STATES 404172000300 DESIGNATED/ELECTED OFFICE (DO/EO/US) U.S. APPLICATION NO. (if known, see 37 CFR 1.5) CONCERNING A SUBMISSION UNDER 35 U.S.C. 371 10/511,229 INTERNATIONAL APPLICATION NO . INTERNATIONAL FILING DATE PRIORITY DATE CLAIMED PCT/IT02/00231 12 April 2002 12 April 2002 TITLE OF INVENTION PURIFIED SUBFRAGMENT CODIFYING FOR NEUROAMINIDASE, RECOMBINANT NEUROAMINIDASE AND ITS USE IN ZOOPROPHYLAXIS APPLICANT(S) FOR DO/EO/US Ilaria CAPUA et al. Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information: This is a FIRST submission of items concerning a submission under 35 U.S.C. 371. This is a SECOND or SUBSEQUENT submission of items concerning a submission under 35 U.S.C. 371. 2. x This is an express request to begin national examination procedures (35 U.S.C. 371(f)). The submission must include items (5), (6), (9) and (21) indicated below. The US has been elected (Article 31). A copy of the International Application as filed (35 U.S.C. 371 (c)(2)) is attached hereto (required only if not communicated by the International Bureau). has been communicated by the International Bureau. is not required, as the application was filed in the United States Receiving Office (RO/US). An English language translation of the International Application as filed (35 U.S.C. 371(c)(2)). is attached hereto. has been previously submitted under 35 U.S.C. 154(d)(4). Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3)) are attached hereto (required only if not communicated by the International Bureau). have been communicated by the International Bureau. have not been made; however, the time limit for making such amendments has NOT expired. have not been made and will not be made. An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)). An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)). An English language translation of the annexes of the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)). Items 11 to 20 below concern document(s) or information included: An Information Disclosure Statement under 37 CFR 1.97 and 1.98. (3 pages) An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included. A preliminary amendment. An Application Data Sheet under 37 CFR 1.76. A substitute specification. A power of attorney and/or change of address letter. A computer-readable form of the sequence listing in accordance with PCT Rule 13ter.2 and 37 CFR 1.821 - 1.825. A second copy of the published International Application under 35 U.S.C. 154(d)(4). 18 A second copy of the English language translation of the international application under 35 U.S.C. 154(d)(4). 19

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20. X Other items or information: PTO/SB/08a/b + copy (6 pages), thirty-seven (37) references, Return Receipt Postcard										
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Dated: September 2, 2005 Signature:

Riorgina hialos (Georgha Matos) #5

Patent Docket No. 404172000300

Client Reference No. LABBA/P29480US

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:

Serial No.: 10/511,229

International Filing Date: April 12, 2002

International Application No.: PCT/IT02/00231

For: PURIFIED SUBFRAGMENT

CODIFYING FOR NEUROAMINIDASE, RECOMBINANT NEUROAMINIDASE AND ITS USE IN ZOOPROPHYLAXIS Examiner: Not Yet Assigned

Group Art Unit: 1645

INFORMATION DISCLOSURE STATEMENT UNDER 37 C.F.R. § 1.97 & 1.98

Mail Stop PCT Commissioner for Patents P.O. Box 1450 Alexandria, Virginia 22313-1450

Dear Sir

Pursuant to 37 C.F.R. §1.97 and § 1.98, Applicants submit for consideration in the above-identified application the documents listed on the attached Form PTO/SB/08a/b. Copies of non-patent literature are submitted herewith. The Examiner is requested to make these documents of record.

This Information Disclosure Statement is submitted:

	With	the application; accordingly, no fee or separate requirements are required.
	Befor	e the mailing of a first Office Action after the filing of a Request for Continued
	Exam	ination under § 1.114. However, if applicable, a certification under 37 C.F.R. § 1.97
	(e)(1)	has been provided.
\boxtimes	Withi	n three months of the application filing date or before mailing of a first Office Action
	on the	e merits; accordingly, no fee or separate requirements are required. However, if
	applic	cable, a certification under 37 C.F.R. § 1.97 (e)(1) has been provided.
	After	receipt of a first Office Action on the merits but before mailing of a final Office Actio
	or No	tice of Allowance.
		A fee is required. A check in the amount of is enclosed.
		A fee is required. Accordingly, a Fee Transmittal form (PTO/SB/17) is attached to
		this submission in duplicate.
		A Certification under 37 C.F.R. § 1.97(e) is provided above; accordingly; no fee is
		believed to be due.
	After	mailing of a final Office Action or Notice of Allowance, but before payment of the
	issue	fee.
		A Certification under 37 C.F.R. § 1.97(e) is provided above and a check in the
		amount of is enclosed.
		A Certification under 37 C.F.R. § 1.97(e) is provided above and a Fee Transmittal
		6 (DTO/CD/17 is attached to this submission in duplicate.)

Applicants would appreciate the Examiner initialing and returning the Form PTO/SB/08a/b, indicating that the information has been considered and made of record herein.

The information contained in this Information Disclosure Statement under 37 C.F.R. § 1.97 and § 1.98 is not to be construed as a representation that: (i) a complete search has been made; (ii) additional information material to the examination of this application does not exist;

Patent Docket No. 404172000300 Client Reference No. LABBA/P29480US

(iii) the information, protocols, results and the like reported by third parties are accurate or enabling; or (iv) the above information constitutes prior art to the subject invention.

In the unlikely event that the transmittal form is separated from this document and the Patent and Trademark Office determines that an extension and/or other relief (such as payment of a fee under 37 C.F.R. § 1.17 (p)) is required, Applicants petition for any required relief including extensions of time and authorize the Commissioner to charge the cost of such petition and/or other fees due in connection with the filing of this document to **Deposit Account No. 03-1952** referencing 404172000300.

Dated: September 2, 2005

Respectfully submitted,

Ignet Xigo

Registration No.: 55,748 MORRISON & FOERSTER LLP 755 Page Mill Road

Palo Alto, CA 94304-1018

(650) 813-5736

ALTERNATIVE TO PTO/SB/08a/b (06-03)

Complete if Known Substitute for form 1449/PTO Application Number 10/511,229 INFORMATION DISCLOSURE Int'l Filing Date April 12, 2002 STATEMENT BY APPLICANT Ilaria CAPUA First Named Inventor 1645 Art Unit (Use as many sheets as necessary) Examiner Name Not Yet Assigned of Attorney Docket Number 404172000300 Sheet 1

U.S. PATENT DOCUMENTS					
Examiner	Cite	Document Number	Publication Date		Pages, Columns, Lines, Where Relevant Passages or Relevant
Initials*	No.1	Number-Kind Code ³ (if known) MM-DD-YYYY	Applicant of Cited Occument	Figures Appear	
	1.	US-6,221,362-B1	04-24-2001	Audonnet et al.	

	FOREIGN PATENT DOCUMENTS						
Examiner Initials*	Cite No.1	Foreign Patent Occurrent Country Code ³ -Number ⁴ -Kind Code ⁵ (# known)	Publication Oate MM-DD-YYYY	Name of Patentee or Applicant of Cited Occument	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T ⁶	

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		NON PATENT LITERATURE DOCUMENTS	
Examiner Initials	Cite No.1	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the Item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T²
	2.	Anonymous. (June 22, 1992). "Council Directive 92/40/EEC of 19 May 1992 Introducing Community Measures for the Control of Avian Influenza," The Council of the European Communities 1167:1-18.	
	3.	Anonymous, (December 13, 2002). "Commissione: Decisione Della Commissione del 12 dicembre 2002 Relativa all'Introduzione della Vaccinazione ad Integrazione delle Misure di Lotta Contro le Intezioni da Virus dell'Influenza Aviaria a Bassa Patogenicità in Italia a Recnate Misure Specifiche di Controllo dei Movimenti, 2002/975/CE," Official Journal of the European Commission 1337:87-92, (In Italian.)	
	4.	Anonymous. (September 30, 2004) "Commission Decision of 29 September 2004 on Introducing Vaccination to Supplement the Measures to Control Infections with Low Pathogenic Avia Influenza in Italy and on Specific Movement Control Measures and Repealing Decision 2002/975/EC, Decision 2004/666/EC," Official Journal of the European Union 1303:54-4.	
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	11.	Capua, I. et al. (August 2003). "The Use of Vaccination as an Option for the Control of Avian Influenza," Avian Pathology 32(4):335-343.	

Examiner	Date
Signature	Considered

Complete if Known Substitute for form 1449/PTO Application Number 10/511,229 INFORMATION DISCLOSURE Int'l Filing Date April 12, 2002 STATEMENT BY APPLICANT First Named Inventor Ilaria CAPUA Art Unit (Use as many she ets as necessary) Examiner Name Not Yet Assigned Attorney Docket Number 404172000300 2 of 3 Sheet

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Examiner	Date
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ALTERNATIVE TO PTO/SB/08a/b (06-03)

Substitut	te for form 1449/F	TO		Complete if Known		
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INF	ORMATI	ON DIS	SCLOSURE	Int'l Filing Date	April 12, 2002	
STATEMENT BY APPLICANT				First Named Inventor	Ilaria CAPUA	
•				Art Unit	1645	
	(Use as man	y she ets as	necess ary)	Examiner Name	Not Yet Assigned	
Sheet	3	of	3	Attorney Docket Number	404172000300	

33	Influenza Inactivated Vaccines," Avian Pathology 28:245-255.
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[&]quot;EXAMINER: Initial is information considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

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